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8 Attorneys for Defendants  
9 JRB HEALTH SOLUTIONS, LLC

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 DAVID McKAY, SHEILA McKAY and THE  
13 ESTATE OF JOHN McKAY,

14 Plaintiff,

15 v.

16 CRISTIAN HAGESETH, FRANK GRUICH, JR.,  
17 GRUICH PHARMACY SHOPPE, JRB  
18 SOLUTIONS, INC., JRB HEALTH SOLUTIONS,  
19 LLC, BENJAMIN KREIS and GREG TUTTLE,

20 Defendants.

Case No.: C-06-1377 MMC

STIPULATION AND ORDER REGARDING  
PLAINTIFF'S MOTION TO CERTIFY  
INJUNCTIVE CLASS AND FOR A  
PRELIMINARY INJUNCTION

21 TO ALL ATTORNEYS OF: Plaintiffs, DAVID McKAY, SHEILA McKAY and THE  
22 ESTATE OF JOHN McKAY and Defendant JRB HEALTH SOLUTIONS, LLC:

23 WHEREAS Plaintiffs, DAVID McKAY, SHEILA McKAY and THE ESTATE OF JOHN  
24 McKAY (hereinafter collectively "Plaintiff") and Defendant JRB HEALTH SOLUTIONS, LLC  
25 (hereinafter "JRB") have entered into a tentative settlement agreement resolving all issues regarding  
26 liability and injunctive relief, Plaintiff hereby stipulates that it is not seeking relief against JRB in its  
27 pending motion entitled: Motion to Certify Injunctive Class and for a Preliminary Injunction. The  
28 parties stipulate that Plaintiff reserves the right to renew such motion against JRB should the  
settlement not become finalized. The parties to this stipulation respectfully request this Court's  
consent to the same.

1 Dated: July 11, 2007

2  
3 DATED: 7/11/07

WALKUP MELODIA KELLY WECHT &  
SCHOENBERGER

By: 

Matthew D. Davis

Melinda Derish

Attorney for Plaintiffs

SHELIA MCKAY, DAVID MCKAY  
& ESTATE OF JOHN MCKAY

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6  
7  
8 DATED: 7/11/07

MURPHY, PEARSON, BRADLEY & FEENEY

By: 

Aaron K. McClellan

Kelly D. Fair

Attorney for Defendants

JRB SOLUTIONS, INC., BENJAMIN KREIS  
& GREG TUTTLE

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13 IT IS SO ORDERED.

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15 DATED: July 12, 2007



MAXINE M. CHESNEY

United States District Judge

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